HON'BLE SHRI JUSTICE NOOTY RAMAMOHANA RAO

W.P. No.34787 of 1998

20.8.2007

Between

Asha S.Wankhede and another ..Petitioners

AND

Union of India represented by its Principal Secretary for Home, New Delhi and others ..Respondents

:: JUDGMENT ::

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This writ petition has been instituted by the petitioners who are the wife and husband working for the Central Reserve Police Force (for short, "the C.R.P.F."). They sought to impugn in this writ petition the action of the respondents in not posting them together at one particular station so as to enable both of them to work and live together.

The learned Standing Counsel for the C.R.P.F. upon instructions, submits that the second petitioner husband has since been medically invalidated for further service under the C.R.P.F. with effect from 16.6.2000 whereas the first petitioner who was working as a Staff Nurse is liable to undergo transfers from one station to another in accordance with the norms fixed for effecting transfer of such persons. The learned Standing Counsel would also urge that the transfers are effected taking into account and consideration various factors including the exigencies of services and the requirement of manpower. Since the essential grievance of the petitioners that they are not being transferred or posted at one particular station, is not subsisting wholly due to the misfortune of the second petitioner being declared medically invalidated, the cause in the writ petition does not survive for further adjudication.

In view of this, the writ petition is dismissed. No costs.

The instructions received by the learned Standing Counsel are treated as forming part of the record of this case.

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NOOTY RAMA MOHANA RAO.J.

20.8.2007
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